

UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Eric C. Grimm,

Plaintiff,

vs.

Civil Action No. 1:17-cv-654

Raw Story Media, Inc., The Herald Publishing Company, LLC, MLive Media Group, f/k/a Booth Newspapers, Inc., Newslo, Stephen Kloosterman, Kevin Even, Paul Shibley, Brianna Scott, David Bossenbroek, Matt J. Roberts, David Shafer, Barton Dieters, Gregory C. Pittman, Williams Hughes, PLLC, Douglas Hughes, Theodore N. Williams, Jr, Timothy Hicks, William Marietti, Kathy Hoogstra, Robert Carter, Raymond Kostrzewa, Linnea Kostrzewa, Mark T. Boonstra, Neil Mullally, Vicki Broge, and the County of Muskegon,

Defendants.

Hon. Gordon J. Quist
United States District Judge

Hon. Phillip J. Green
United States Magistrate Judge

DEFENDANT KEVIN EVEN'S
MOTION TO DISMISS PURSUANT
TO FED. R. CIV. P. 12(b)(6)

ORAL ARGUMENT REQUESTED

Eric C. Grimm (P58990)
ERIC C. GRIMM, PLLC
Attorney for Plaintiff
1017 West South Street
Alvin, TX 77511
Main: (734) 717-4900
Email: ecgrimm@umich.edu

James S. Brady
Mark John Magyar
Dykema Gossett PLLC (Grand Rapids)
Attorneys for Defendants The Herald Publishing Company, LLC, MLive Media Group, formerly known as Booth Newspapers, Inc., and Stephen Kloosterman
300 Ottawa Ave NW, Suite 700
Grand Rapids, MI 49503
(616) 776-7550
Email: jbrady@dykema.com
Email: mmagyar@dykema.com

Allan C. Vander Laan
Cummings McClorey Davis & Acho PLC
Attorneys for Defendants Matt J. Roberts, Gregory C. Pittman, Timothy Hicks, William Marietti, Kathy Hoogstra, Raymond Kostrzewa, Neil Mullally, and the County of Muskegon
327 Centennial Plaza Bldg.
2851 Charlevoix Dr., SE
Grand Rapids, MI 49546
(616) 975-7470
Email: avanderlaan@cmta-law.com

Gregory N. Longworth
Steven F. Stapleton
Clark Hill PLC
Attorneys for Defendants Williams Hughes, PLLC, and Douglas Hughes
200 Ottawa Ave., NW, Ste. 500
Grand Rapids, MI 49503
(616) 608-1100
Email: glongworth@clarkhill.com
Email: [sstapleton@clarkhill.com](mailto:ssstapleton@clarkhill.com)

Paul A. McCarthy (P47212)
Rhoades McKee PC
Attorney for Defendant Kevin Even
55 Campau Avenue NW, Suite 300
Grand Rapids, MI 49503
(616) 235-3500
Email: mccarthy@rhoadesmckee.com

DEFENDANT KEVIN EVEN'S MOTION TO DISMISS
PURSUANT TO FED. R. CIV. P. 12(b)(6)

Defendant Kevin Even, through his undersigned counsel, moves this Court for an order dismissing Plaintiff's complaint against him pursuant to Fed. R. Civ. Pro. 12(b)(6) with prejudice, for failure to state a claim. This motion is supported by an accompanying brief. Like the other Defendants, while Plaintiff makes passing reference to Kevin Even in his First Amended Complaint, he fails to state a claim against Mr. Even and, accordingly, Plaintiff's claims should and must be dismissed with prejudice for the reasons already articulated by the similarly situated Defendants.

Respectfully Submitted,

RHOADES McKEE PC
Attorneys for Defendant Kevin Even

Dated: November 27, 2017

By: /s/ Paul A. McCarthy
Paul A. McCarthy (P47212)
55 Campau Avenue NW, Suite 300
Grand Rapids, MI 49503
(616) 235-3500